ssm

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3809 OF 2006

IN

APPEAL (L) NO. 545 OF 2006

IN

NOTICE OF MOTION NO. 3702 OF 2003

IN

SUIT NO. 3961 OF 2003

Shri Chandru Tahilram Tolani ...Appellant.

Vs.

Sai Amrat Co-Operative Housing Society Limited & Ors. ...Respondents.

Ms. Deepali Wagale i/by M/s. S. Mohomedbhai & Co. appellant.

Mr. Bhandary i/by M/s. Bhandary & Bhandary for the respondents.

CORAM : DR.S.RADHAKRISHNAN & ANOOP V. MOHTA, JJ.

DATED : 22ND NOVEMBER, 2007

P.C.

. Heard the learned counsel for the appellant and the learned counsel for the respondent. Perused the notice of motion and affidavit in support thereof. By this Notice of Motion, the appellant is seeking condonation of one day’s delay in filing the above

appeal. For the reasons stated therein sufficient cause is made out for condoning the delay in filing the above appeal. There is no case of inaction, negligence or want of bonafide on the part of the appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(ANOOP V. MOHTA, J.) **(DR.S.RADHAKRISHNAN,J.)**